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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA – OAKLAND DIVISION

RYAN GREKO, individually and on
behalf of all others similarly situated,

Plaintiffs,

v.

DIESEL U.S.A., INC., a New York
corporation; and DOES 1-100, inclusive,

Defendant.

Case No. 4:10-CV-02576-YGR

**[PROPOSED] ORDER GRANTING
DEFENDANT’S DEMAND TO DEPOSE
CLASS MEMBERS**

Class Action

Judge: Hon. Yvonne Gonzalez Rogers

Courtroom:

Action Filed: June 10, 2010

Trial Date: November 26, 2012

Hearing Date: July 5, 2012

Hearing Time: 10:00 a.m.

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

On July 5, 2012, at 10:00 a.m., defendant Diesel U.S.A., Inc. ("Diesel"), and plaintiff Ryan Greko ("Greko," and together, the "Parties"), by and through their counsel of record, participated in a telephone conference call with the Honorable Yvonne Gonzalez Rogers in regard to the Parties' dispute over Diesel's right to depose eight class members. Diesel had previously noticed depositions for the following eight class members: Felix Bello, Ceasar Espinoza, Daniel Irwin, Joanna Krenzel, Juan Muniz, Allan Nguyen, James Torrence, and Paige Washington.

The Court reviewed the Parties' Joint Discovery Dispute Letter Brief, which the Parties' filed on July 2, 2012, as well as other documents previously filed with the Court, and heard the arguments of counsel. Based on its review and consideration of the above, and good cause appearing, the Court hereby orders that:

1. Diesel may take the depositions of the eight class members whom it previously noticed;


2. Each of the foregoing depositions shall be limited to four hours' time on the record, which shall not include, for example, time spent by counsel for Greko to prepare the deponent for the deposition and any breaks taken during the deposition by either party's counsel or the deponent;

3. If any deponent fails to give responsive answers, or the deposition otherwise fails to proceed at a reasonable rate, counsel for Diesel is authorized to call Judge Gonzalez Rogers immediately and seek leave for extension of the four-hour limit, or other relief, as appropriate; and

4. Diesel shall produce the personnel files of the deponents on or before July 12, 2012.

IT IS SO ORDERED.

Dated: July 6, 2012


The Honorable Yvonne Gonzalez Rogers
United States District Court Judge